

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

RANDAL WARDLE, :
Plaintiff, :
v. : Case No. 1:23-cv-263
CLIFTON HEALTHCARE CENTER, : Judge Jeffery P. Hopkins
et al., :
Defendants. :

ORDER ADOPTING REPORT AND RECOMMENDATION

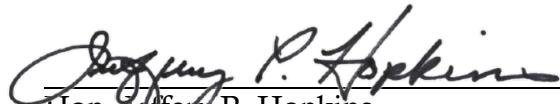
This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Karen L. Litkovitz on May 15, 2023. Doc. 4. After performing an initial screen of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2), the Magistrate Judge recommended that the Court dismiss Plaintiff's Complaint in its entirety for failure to state a claim on which relief may be granted. The Court has reviewed Plaintiff's Complaint and the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby **ADOPTS** the Report and Recommendation in its entirety.

Accordingly, it is hereby **ORDERED** that the Complaint be **DISMISSED** with prejudice under 28 U.S.C. § 1915(e)(2) for failure to state a claim on which relief may be granted. For the reasons stated in the Report and Recommendation and pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that an appeal of this Order would not be taken in good faith. The Court accordingly **DENIES** Plaintiff leave to appeal *in forma pauperis*. In accordance with Fed. R. App. P. 24(a)(5), Plaintiff remains free to file a motion for leave to proceed on appeal

in forma pauperis in the Sixth Circuit Court of Appeals. *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999).

IT IS SO ORDERED.

Dated: June 15, 2023



Hon. Jeffrey P. Hopkins
United States District Judge